

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
ERIE DISTRICT COURT

LYNETTE M. PETRUSKA,)
)
Plaintiff,)
)
vs.) Cause No. 1:04-cv-00080-SJM
)
)
GANNON UNIVERSITY, et al.,)
)
Defendants.)

**PLAINTIFF'S MOTION TO PERMIT CO-COUNSEL TO PARTICIPATE IN
ARGUMENT ON MOTION FOR LEAVE TO AMEND BY TELEPHONE**

COMES NOW Plaintiff, by and through counsel, and in support of this motion states as follows:

1. On or about June 25, 2007, Plaintiff filed her Motion for Leave to Amend Complaint. The Court has scheduled oral argument on Plaintiff's motion for October 15, 2007 at 1:30 p.m.
2. Undersigned counsel is scheduled to begin a criminal trial in the State of Missouri in the case of State v. Gary, Cause No. 0711-CR00580 on October 17, 2007 and will be preparing for this trial on October 15-16, 2007.
3. Undersigned counsel will require two days travel to attend oral argument on October 15, 2007, which argument is anticipated to last one hour or less.
4. This Court previously permitted undersigned counsel to participate by telephone in a status conference scheduled on November 29, 2007 (although undersigned counsel ultimately was unavailable for such conference), which was attended by co-counsel, AnnDrea Benson.

5. Co-counsel for Plaintiff, AnnDrea Benson, will be personally present for oral argument on this motion and undersigned co-counsel requests leave to participate by telephone.

WHEREFORE, for the reasons set forth herein, Plaintiff requests that co-counsel, C. John Pleban, be permitted to participate in oral argument on Plaintiff's Motion for Leave to Amend by telephone on October 15, 2007.

Respectfully submitted,

Pleban & Associates, L.L.C.

By s/ C. John Pleban
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Frank L. Kroto, Jr., Arthur D. Martinucci, and Evan C. Rudert this 11th day of September, 2007.

/s/ C. John Pleban

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PROPOSED ORDER

This matter is before the Court on Plaintiff's Motion to Permit Co-Counsel to Participate in Argument on Motion for Leave to Amend by Telephone. The motion being fully briefed by the parties and the Court having fully considered all of the circumstances,

IT IS HEREBY ORDERED that co-counsel, C. John Pleban, is permitted to participate in the October 15, 2007 oral argument by telephone.

Honorable Sean J. McLaughlin
United States District Judge

Dated: _____